

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

**UNITED STATES OF AMERICA**

**vs.**

**VERNON FARTHING, III**

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**CASE NO. 5:17-CR-380**

**UNOPPOSED MOTION FOR CONTINUANCE OF JURY  
SELECTION AND TRIAL**

**TO THE HONORABLE DAVID ALAN EZRA, UNITED STATES DISTRICT  
JUDGE FOR THE WESTERN DISTRICT OF TEXAS, SAN ANTONIO  
DIVISION:**

COMES NOW, defendant **VERNON FARTHING, III**, by and through undersigned counsel, who hereby files this motion for continuance of jury selection and trial and in support of the same would show this Honorable Court the following:

1. This is defendant's first motion for a continuance. The trial is currently set for jury selection and trial starting May 7, 2018.
2. Counsel has conferred with Assistant US Attorney Joseph Blackwell, counsel for the Government and Mikal Watts, counsel for Co-Defendant Carlos I. Uresti, who advise that they have no opposition to this motion.

Undersigned counsel has the following judicial and nonjudicial conflicts:

1. Counsel Goldstein and Cynthia Orr are under court order for a scanning job of 120 boxes of materials in the possession of the District Attorney in Edna,

Texas for case *The State of Texas v. Fredrich R. Schauer, III*, Cause No. 15-9-9548. The court has ordered that the scanning commence April 2, 2018 and be completed by April 20, 2018 onsite in Edna and that once it begins it cannot cease until complete.

2. Counsel Goldstein and Cynthia Orr are set for a pretrial hearing in *The State of Texas v. Fredrich R. Schauer, III*, Cause No. 15-9-9548, in Jackson County, Texas on April 5, 2018.
3. Counsel Cynthia Orr is scheduled for an ABA 2018 Criminal Justice Section Spring meeting in Tampa, Florida on April 6, 2018 to April 8, 2018.
4. Counsel Goldstein and Cynthia Orr are scheduled for jury selection and trial starting on April 9, 2018, in Corpus Christi, Texas, in *The United States of America v. David Keith Wills*, No. 2:17-CR-00390, Southern District of Texas.
5. Counsel Cynthia Orr has oral argument in *David Strickland vs. The State of Texas*, No. 13-16-00701-CR, on April 11, 2018.
6. Counsel Cynthia Orr is arranging and attending the TCDL Woman's Defenders Conference in Fredericksburg, Texas on April 13, 2018.
7. Counsel Goldstein and Cynthia Orr are scheduled to attend the 60<sup>th</sup> Anniversary of the NACDL in New York on April 18, 2018 to April 21, 2018.

8. Counsel Goldstein is scheduled in *State of Texas vs. Vanessa Cameron*, Cause No. 2010-CR-4286C, in the 226<sup>th</sup> Judicial District Court, Bexar County, Texas, set for pretrial on April 23, 2018, with Jury Selection and Trial beginning on Monday, June 18<sup>th</sup>, 2018.
9. Counsel Goldstein is scheduled to make the keynote presentation for the Louisiana Association of Criminal Defense Lawyers at their annual CLE on Thursday, April 26, 2018.
10. Counsel Goldstein is scheduled to make a presentation at the Annual National Firearms Law Seminar, on Friday, May 4, 2018 in Dallas, Texas.
11. Counsel Goldstein is scheduled to speak to the Annual Legal Committee in Aspen, Colorado on May 31, 2018.
12. Counsel Goldstein and Cynthia Orr are scheduled to be in Edinburgh, Scotland from June 14, 2018 to June 17, 2018 for a fellowship meeting with the American Board of Criminal Lawyers.
13. Counsel Goldstein and Cynthia Orr are scheduled to speak at the Rusty Duncan Advanced Criminal Law Course in San Antonio, Texas on June 21-23, 2018.
14. Counsel Cynthia Orr is scheduled to be in Quebec, Canada for an ISRCL meeting from July 15, 2018 to July 18, 2018.
15. Counsel Goldstein is scheduled to make a presentation for the State Bar of

Texas Advanced Criminal Law Course in San Antonio, Texas, on Wednesday, July 25, 2018.

16. Counsel Cynthia Orr has a post-conviction writ hearing starting September 10, 2018 in *The State of Texas v. Terrance Black*, Case No. W296-81761-2012-HC, 296<sup>th</sup> Judicial District, Collin County, Texas.
17. Counsel Goldstein and Cynthia Orr are set for jury selection and trial starting September 24, 2018 in *The State of Texas v. Fredrich R. Schauer, III*, Cause No. 15-9-9548 in Jackson County, District Court.
18. Counsel Goldstein and Cynthia Orr are scheduled to attend the NACDL's East Coast White Collar Crime Conference on November 8-9, 2018 in Washington, D.C.

This request is not being made for the purposes of delay but so that justice can adequately be served. All counsel have agreed to a date certain and respectfully request an order from this court for October 22, 2018.

Respectfully Submitted,

By: /s/Gerald H. Goldstein  
Gerald H. Goldstein

Cynthia E. Orr\*  
Bar No. 15313350  
Gerald H. Goldstein  
Bar No. 08101000

John T. Hunter  
Bar No. 24077532  
Abasi D. Major  
Bar No. 24096504  
GOLDSTEIN, GOLDSTEIN, HILLEY & ORR  
310 S. St. Mary's St.  
29th Fl., Tower Life Bldg.  
San Antonio, Texas 78205  
210-226-1463  
210-226-8367 facsimile  
Email: whitecollarlaw@gmail.com  
Email: ggandh@aol.com  
Email: jth753@gmail.com  
Email: abasi.major@gmail.com

Attorneys for Defendant,  
VERNON FARTHING III

*\*Lead Counsel*

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been electronically delivered to Assistant United States Attorneys Joseph E. Blackwell as a registered participant of the CM/ECF document filing system, on this the 13th day of March 2018.

By: /s/Gerald H. Goldstein  
Gerald H. Goldstein

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CASE NO. 5:17-CR-380

**ORDER**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2018, came to be considered the Defendant's Unopposed Motion for Continuance of Grand Jury Selection and Trial, and the Court having considered the same, hereby orders this motion:

(GRANTED)

(DENIED)

The new date for jury selection and trial will be: \_\_\_\_\_

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HON. DAVID ALAN ERZA  
UNITED STATES DISTRICT JUDGE